

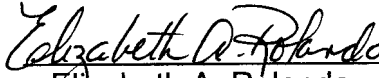
## STAFF REPORT

Subject: ESS.COM, L.L.C. failure to file 2002 Annual Report

## AFFIDAVIT

My name is Elizabeth A. Rolando, and I am the Chief Clerk of the Illinois Commerce Commission. As the Chief Clerk of the Commission, I have access to all the official documents filed with the Commission. According to the records of the Commission, ESS.COM, L.L.C. is a telecommunications carrier that has been granted a certificate by the Commission to provide intrastate telecommunications services. As of this date, ESS.COM, L.L.C. has not filed its Annual Report for the year 2002. The report was to have been filed by April 1, 2003, as required by Section 5-109 of the Public Utilities Act and the Commission's rules setting the fiscal year for annual reports, found at 83 Ill. Adm. Code 210.

As of the date of this Staff Report, ESS.COM, L.L.C. has not filed its annual report.

  
Elizabeth A. Rolando  
Chief Clerk

Under penalties as provided by law, the undersigned swears that the statements set forth in this affidavit are true and correct, except as to such matters therein stated to be on information and belief and as to such matters the undersigned swears as aforesaid that she believes the same to be true.

  
Elizabeth A. Rolando

Subscribed and sworn to before  
me this 29th day of January, 2004.



Notary Public

